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August 31, 2009

BY HAND

The Honorable Denny Chin
United States District Judge
United States Courthouse
500 Pearl Street
New York, NY 10007-1312

AUG 31 2009

Re: The Authors Guild Inc., et al v. Google Inc., No. 05 Civ. 8136 (DC)

Dear Judge Chin:

By order of April 24, 2009, Your Honor granted us permission to file an amicus brief in this matter on behalf of the Internet Archive. That brief will be filed on or before the Court's September 4, 2009 objection deadline.

We respectfully seek leave from the Court to file, in addition, an amicus brief on behalf of the Open Book Alliance, <http://www.openbookalliance.org/>, a coalition of diverse organizations including Amazon.com, Inc., The American Society of Journalists and Authors, The Council of Literary Magazines and Presses, Microsoft Corporation, The New York Library Association, Small Press Distribution, The Special Libraries Association, and Yahoo! Inc., as well as the Internet Archive. With the Court's permission, that amicus brief as well will be filed by the September 4, 2009 objection deadline. The two briefs are focused on distinct issues, and there is no duplicative argument.

We have circulated a draft of this letter to counsel for the parties, who advise that they have no objection to such a filing.

Respectfully yours,

ARNOLD & PORTER LLP

**APPLICATION GRANTED.
SO ORDERED**


Denny Chin, U.S.D.J.

8/31/09


by Hadrian R. Katz

cc: All Counsel

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